

SANTA MONICA MOUNTAINS CONSERVANCY

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October 22, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
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Comments on Proposed Santa Monica Mountains Local Coastal Program Coastal Zone Plan, Local Implementation Program, and related documents

Honorable Supervisors:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Proposed Santa Monica Mountains Local Coastal Program (LCP) Coastal Zone Plan (CZP), Local Implementation Program (LIP), and related documents.

Importance of Retaining Several Sections of the Local Coastal Program

Private development causing fuel reduction on public lands is a drain on park agency budgets and protected natural resources. Section 22.44.604.C.8. Fuel Modification Zones of the LIP (p. 55), which states in part, "Fuel modification shall not extend into open space or parkland" is a critical element to retain in the LCP. Likewise, we support Policy CO-44 in the CZP (p. CO-26), which states: "Require that brush clearance for any new development or improvement does not encroach into dedicated open space or parkland." Statements such as these should not be weakened and variances for this provision should not be allowed. Dedicated open space should also be defined to include open space and conservation easements held by governmental entities.

We compliment the Department of Regional Planning on the quality and focus of the many of the goals and policies in the subject CZP. For example, we support Policy CO-20 (p. CO-21), which states in part:

Use land dedications in fee title to a public agency and/or qualifying non-profit land preservation organization to ensure the preservation of natural biological habitats and linkages...Secondary alternatives are conservation

easements...Financing for long-term maintenance should be considered...

Crops

Crops result in the loss of native habitat and have substantial edge effects into adjoining habitat including increased runoff, lower water quality, altered faunal communities, and have adverse viewshed impacts.

According to Section 22.40.820 Accessory uses and structures in the LIP (p. 15), property in the Rural-Coastal zone can be used for crops in the fuel modification zone, apparently with an administrative coastal development permit (CDP). It is our understanding that this may involve a public hearing, and may be appealable to the Planning Commission and Coastal Commission, but that this is a ministerial action. This would make it impossible for the County to impose conditions, such as limiting the acreage of crops. For example, a 100-foot by 100-foot house, with a 50-foot yard area, could result in four acres of vineyards in its 200-foot-wide fuel modification zone. Is this what the LCP intended? There are implications for placing a high-intensity use such as vineyards immediately adjacent to native habitat, and there would be environmental consequences. At the very least, there should be a thinning fuel modification area with native vegetation between the crop and the adjacent native habitat. The park agencies in the Santa Monica Mountains concur that crops in the fuel modification zones should be limited to zones A and B, and they should be limited to slopes no greater than 3:1 (horizontal:vertical), similar to the Malibu LCP.

As stated in the staff's changes to proposed to the Board of Supervisors for the October 23, 2007 hearing, the Conservancy agrees that Best Management Practices should be added. However, "limiting" should be added to "pesticide application" so it reads "...such as groundcover between rows, mulching, anti-dust strategies, and limiting pesticide application."

Horses and Grazing

The park agencies in the Santa Monica Mountains are also concerned with the potential adverse impacts that could result from the confinement of animals (e.g., horses) and grazing, as would be allowed in the proposed LCP without further establishment of acreage thresholds. According to Section 22.44.700.D Livestock management of the LIP (p. 78), in the Rural Coastal and Rural Residential zones, fencing such as for paddocks and grazing areas, shall not enclose an area greater than one acre. The LIP should include a mechanism to ensure that the impacts from grazing are limited to that one acre and that rotational

grazing does not occur. The reasons should be obvious. The LIP (Sections 22.40.810 and 22.44.700) must also clarify to what extent grazing would or would not be allowed beyond that one-acre fenced area, so that the public can clearly understand the environmental impacts that would result.

With respect to horse boarding (Section 22.40.810 of LIP, p. 14), there should be a threshold where a minor coastal development permit is required. Currently, private boarding of eight horses per acre, up to a maximum of 24 such animals would be allowed in the Rural Coastal zone with an administrative permit, without the ability of the County to impose conditions. At this allowed high density of horses, a more rigorous County review and public hearing should be required, for example, at some calculated acreage threshold based on an ecological analysis. This additional level of review is totally commensurate with the resource impacts of high density horse-keeping.

To encourage clustering and to minimize environmental impacts (e.g. to habitat and watershed), animal containment facilities, such as corral and barns and accessory structures should be limited to fuel modification zones (A, B, and C) (while still meeting health code requirements) and should be limited to slopes that are less than 4:1 (horizontal: vertical), similar to the requirements of the Malibu LCP.

Rural Inns

The Conservancy concurs with staff's changes to proposed to the Board of Supervisors for the October 23, 2007 hearing, to limit the concentration of rural inns.

Allowed Uses in Parkland

We compliment the staff on the text of the LIP referring to park uses. The LIP is fairly clear in terms of defining what type of permit is needed (or if an activity is exempt) for specific park uses and facilities. However, we request the following changes be made to ensure that it is clear what permits are required, if any, for the following additional park uses and facilities. These changes would help ensure there is not an undue burden on the park agencies for typical park uses and facilities, with a realistic consideration of the potential, if any, for significant adverse impacts to coastal resources. As stated in the CZP (p. CO-30), the cornerstones of the area's recreation opportunities are the existing Federal and State parks, beaches, and trails. Policies to encourage a full range of recreational experiences and to encourage opportunities for recreation (e.g., policies CO-65, CO-66) serve to implement the Coastal Act and policies.

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Habitat restoration by our staff is an ongoing activity in our parks, and certain types of habitat restoration should be considered exempt, and listed in Section 22.44.620.B of the LIP (p. 73). The following text should be added to this section: “native habitat restoration that involves no soil disturbance with machinery (e.g., augers, bobcats) and no destruction of live, native plants, but that allows planting of native plant species, installation of herbivory exclosures (e.g., gopher cages), and removal of non-native species with minor methods.”

Making all private temporary uses in parks subject to a minor CDP (LIP, Section 22.44.620.D, p. 74) would cause undue burden and expense on the park agencies. An application would need to be filed, a fee paid, and a hearing would need to occur, even for very small temporary events, with immeasurable to no impacts to coastal resources. That language should be deleted. We recommend that the following be added to the exemptions section for parks (LIP, Section 22.44.620.B, p. 73):

Private temporary gatherings in established sites in parks, which are already disturbed or developed and which have been historically used for such uses, provided that these are greater than 50 feet from environmentally sensitive habitat areas (ESHAs), the event does not last more than one day, sufficient parking is available onsite, and there would no be greater than 50 vehicles parked for such event.

To clarify the requirements for construction of new trails in parklands or on private lands, we recommend that text be added to the LIP, Section 22.44.620 Parks, trails, playgrounds, and beach, whereby construction of new trails less than 1/4 mile would require a waiver.

It appears that in the Open Space zone, refreshment stands operated in conjunction with and intended to serve the patrons of a use permitted in the zone may require a major CDP (see proposed LIP Section 22.44.737, p. 93, and County Code Section 22.40.430). We recommend that the following use be added as an exemption in Section 22.44.620.B, as we cannot foresee any adverse impacts to coastal resources; in fact this would benefit park users: “Camp stores selling refreshments and interpretative materials in existing structures previously used for public purposes.”

Thank you for your consideration of these comments. If you have any questions, please contact Paul Edelman of our staff by phone at (310) 589-3200, ext. 128.

Sincerely,

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ELIZABETH CHEADLE
Chairperson